

PROB 12A
(12/98)**United States District Court****for****Southern District of Ohio****Report on Offender Under Supervision**Name of Offender: **Donald A Sherman**Case Number: **1:02CR00079-02**Name of Sentencing Judicial Officer: **The Honorable Susan J. Diott
United States District Judge**Date of Original Sentence: **March 12, 2003**Original Offense: **Conspiracy to Distribute Oxycontin**Original Sentence: **36 month(s) probation**Type of Supervision: **Probation**Date Supervision Commenced: **March 12, 2003****NON-COMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1 No New Drug Use	Since the last court hearing on May 26, 2006, Mr. Sherman tested positive for hydrocodone on May 26, 2006 after he was released from court. In addition, on May 30, and June 8, 2006, he tested positive for amphetamines. He submitted urine samples on June 14 and June 22, 2006 that tested negative. He failed to report for his counseling appointment on June 20, 2006 and for urinalysis on July 6, 2006.
#2: No New Law Violation	On July 6, 2006, Mr. Sherman was arrested in Lawrence County, Ohio on a secret Indictment charging him with three counts of Trafficking in Drugs and two counts of Aggravated Trafficking in Drugs. These charges are pending.

U.S. Probation Officer Action:

As the Court is aware, on May 26, 2006, Mr. Sherman appeared before the Court on violation proceedings. At that time, Mr. Sherman admitted he was addicted to pain medication due to severe leg and back pain over the past several years. The Court continued Mr. Sherman on probation for one year until June 1, 2007 and was ordered by the Court not to use any medication. While in Court, Mr. Sherman admitted he had used morphine on May 17, 2006 and had a prescription for hydrocodone. When this officer met with Mr. Sherman after court, he advised this officer that he had not used any other medication. He submitted a urine sample that tested positive for hydrocodone. On May 30 and June 8, 2006, Mr. Sherman tested positive for amphetamines. He also failed to submit to urinalysis on July 6, 2006.

On July 6, 2006 at approximately 9:00 p.m., Mr. Sherman was arrested by the Lawrence County Sheriff's Office on a secret Indictment charging him with three counts of Trafficking in Drugs (to wit: buprenorphine and valium) and two counts of Aggravated Trafficking in Drugs (to wit: morphine). These cases are pending. Sherman is currently incarcerated in the Lawrence County Jail on a \$20,000 bond. A Pre-Trial Conference is scheduled for July 19, 2006.

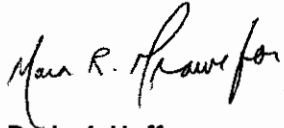
PROB 12A
(12/98)

2

When Sherman appeared in Court for his probation violation hearing on May 26, 2006, Your Honor indicated that if Sherman tested positive for any additional drug use, he would be ordered to go to a halfway house.

Since Sherman is currently incarcerated on new charges, it is respectfully recommended that no action be taken at this time. The Court will be updated if Sherman is released on bond on the pending charges and once a disposition is reached in the pending charges.

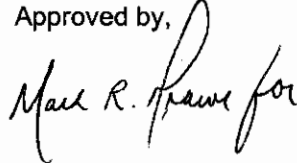
Respectfully submitted by,

**Darla J. Huffman**

U. S. Probation Officer

Date: **July 11, 2006**

Approved by,

**John C. Cole**

Supervising U. S. Probation Officer

Date: **July 11, 2006**☒
☐
☐

I concur with the recommendation of the Probation Officer
Submit a Request for Modifying the Condition or Term of Supervision
Submit a Request for Warrant or Summons


Signature of Judicial OfficerDate: **July 11, 2006**